

LIBRARY VIOLATIONS AND APPEAL

I. Purpose.

The purpose of this policy is to provide a process for addressing violations of the Bad Axe Area District Library policies. This Library Violations and Appeal Policy ("Policy") will set forth the process and procedure for violations of certain Library policies, including but not limited to the Patron Behavior and Internet Use.

II. Library Director/Designee's Right to Suspend Privileges.

Upon determining that a Library policy has been violated, the Library Director or the Director's designee may restrict access to Library facilities with immediate dismissal of the patron from the premises, by suspending the patron's access to Library facilities for a set period of time or by denying access to specific services and/or programs pursuant to this Policy. If necessary, the local police may be called to intervene.

III. Incident reports.

Library Staff shall record in writing in the form of an Incident Report any violation of Library policy that resulted in a verbal warning or a suspension of Library privileges. By the end of the day on which the incident occurred, an Incident Report shall be written and forwarded to the Library Director for logging and review. The Incident Report should include physical descriptions in addition to the name of the patron. A copy of the limitation or suspension of privileges letter should be attached, if applicable.

IV. Violation of the Policy – Suspension of Privileges.

- A. *General Violations.* Unless otherwise provided in Section IV.B of this Library Violations Enforcement Policy, the Library shall handle violations as follows:
 - 1. *Initial Violation:* Library patrons observed violating a Library policy will be asked to cease the violation with a verbal request. If the patron does not comply with the request, he or she will be asked to leave the building for the day. If he or she refuses, police may be called.
 - 2. *Subsequent Violations:* The Director or the Director's authorized designee may further limit or suspend the patron's Library privileges if violations of the same rule continue. Such limitation or suspension shall be in writing specifying the nature of the violation. Subsequent violations of the same rule shall result in additional suspensions of increasing length.
- B. *Violations that Affect Safety and Security.* Violations of Library policy that affect safety and security, including but not limited to violations involving verbal abuse, violence, threatening behaviors, child pornography or obscenity, sexual harassment, vandalism, drug sale or use or attempted drug sale or use,

intoxication, theft or attempted theft, physical harassment, sexual misconduct or any behavior that threatens the safety and security of staff and/or patrons shall be handled as follows:

1. *Initial Violation:* The police will be called immediately if the conduct constitutes a violation or suspected violation of local, state, or federal law. Arrest or criminal prosecution may ensue. Violations of this nature will result in an immediate minimum two-week suspension of Library privileges in order to give the Library sufficient time to investigate the incident. After the investigation is completed, the Library Director or his/her designee may add additional time to the initial limitation or suspension period.
2. *Subsequent Violations:* The police will be called immediately if the conduct constitutes a violation or suspected violation of local, state, or federal law. Arrest or criminal prosecution may ensue. Subsequent violations of the same rule shall result in additional limitations or suspensions of increasing length. Such limitations or suspensions shall be in writing specifying the nature of the violation.

V. Reinstatement.

The patron whose privileges have been limited or suspended shall attend a meeting with the Director or the Director's designee to review the Library policy that was the subject of the violation before their privileges may be reinstated. The Director may also attach reasonable conditions to any reinstatement.

VI. Right of Appeal.

Patrons may appeal a decision (1) to limit or suspend privileges or (2) to attach conditions to any reinstatement by sending a written appeal to the Library Board within ten (10) business days of the date the privileges were revoked or limited or the conditions were made. The appeal should be sent to the Chair of the Library Board. The decision of the Library Board is final.